

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

10/524137
Rec'd PCT/PTO 11 FEB 2005
REC'D 18 AUG 2004
WIPO PCT

Applicant's or agent's file reference P4098	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/FI 03/00600	International filing date (day/month/year) 12.08.2003	Priority date (day/month/year) 13.08.2002
International Patent Classification (IPC) or both national classification and IPC A01G13/02		
Applicant AHLSTROM RESEARCH AND SERVICES et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 10.03.2004	Date of completion of this report 17.08.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tlx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Baltanás y Jorge, R Telephone No. +49 89 2399-7668 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/FI 03/00600

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-12 as originally filed

Claims, Numbers

1-20 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/FI 03/00600**

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	1-20
	No: Claims	
Inventive step (IS)	Yes: Claims	1-20
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-20
	No: Claims	

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/FI03/00600

Reference will be made to the following documents along the procedure:

- D1: DATABASE EPODOC EUROPEAN PATENT OFFICE, THE HAGUE, NL; 30 April 1998 (1998-04-30), XP002241439 & SI 9 600 317 A (JENKO ANTON MAG DIPL ING) 30 April 1998 (1998-04-30)
- D2: FR-A-2 630 293 (KAYSERSBERG SA) 27 October 1989 (1989-10-27)
- D3: DATABASE WPI Section Ch, Week 200019 Derwent Publications Ltd., London, GB; Class A23, AN 2000-218449 XP002241153 & JP 2000 045163 A (UNITIKA LTD) 15 February 2000 (2000-02-15)
- D4: FR-A-2 813 888 (NIEL JEAN FRANCOIS) 15 March 2002 (2002-03-15)
- D5: FR-A-2 733 520 (FIBERWEB SODOCA) 31 October 1996 (1996-10-31) cited in the application

ITEM V:

Independent claim 1:

Document D1 discloses a biodegradable fibrous support for mulching of the soil.

Difference between document D1 and claim 1 would be the incorporation of biodegradable thermobonding fibres distributed in the mass of the fibrous support. This feature solves the problem of eliminating residues in the soil after using such a fibrous support while still allowing to use thermobonding fibres in the product in order to achieve a higher resistance for it.

The subject-matter of claim 1 is therefore novel (Article 33(2) PCT).

Document D5 discloses the use of thermobonding fibres in the production of a film layer for agricultural use (see example 1). However, there is no hint in this document about the possibility of using the product in combination with a fibrous support for mulching. The considered prior art of fibrous supports does not disclose neither the possibility of using thermobonding fibres for their production.

The solution to the problem proposed in claim 1 of the present application is considered therefore as involving an inventive step (Article 33(3) PCT).

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/FI03/00600

Dependent claims 2-20:

Claims 2-20 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

The industrial applicability of the invention is obvious.

Further remarks:

Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in document D1 is not mentioned in the description, nor is this document identified therein.

The expression "the mass" in claim 1 could throw doubt about to which "mass" reference is made in the claim. Even if it has been assumed for the examination that "the mass of the fibrous support" was meant, the formulation results in lack of clarity (Article 6 PCT).

The use of parentheses in claim 14 results as well in lack of clarity since it is not evident whether the features in the parentheses are optional or not.

Some features contained in dependent claim 17 are referred to as having been cited in claim 1, however this is not the case for the term "the coating solution". This lack of previous reference to such features leaves the reader in doubt as to the meaning of the technical features to which they refer, thereby rendering the definition of the subject-matter of said claim unclear.